

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

1

05/06/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM TOPONCE CANAL
CO.

RIGHT NO. 29-2504 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

06/19/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-2418

NAME AND ADDRESS: DARWIN CALDWELL
15629 N 16TH DR
PHOENIX AZ 85023

ELOISE CALDWELL
2844 KELLY TOPONCE ROAD
BANCROFT ID 83217

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.75 CFS
585.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 29-2504 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 3.75 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION
VOLUME OF 896 AF.

PRIORITY DATE: 09/29/1959

POINT OF DIVERSION:

T07S R38E S11 NWSENE Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	1.750 CFS

PLACE OF USE: IRRIGATION Within CARIBOU County

T07S R38E S01	NESW	40.0	T07S R38E S01	NWSW	40.0
T07S R38E S01	SWSW	40.0	T07S R38E S01	SESW	40.0
T07S R38E S01	SWSE	40.0	T07S R38E S01 Lot 7	SESE	31.0
T07S R38E S02	SWSE	13.0	T07S R38E S11	NENE	38.0
T07S R38E S11	NWNE	27.0	T07S R38E S12	NWNE	40.0
T07S R38E S12	NENW	40.0	T07S R38E S12	NWNW	40.0

429 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

This right when combined with all other rights shall provide no more than .02
cfs per acre nor more than 3.5 afa per acre for irrigation of the lands above.

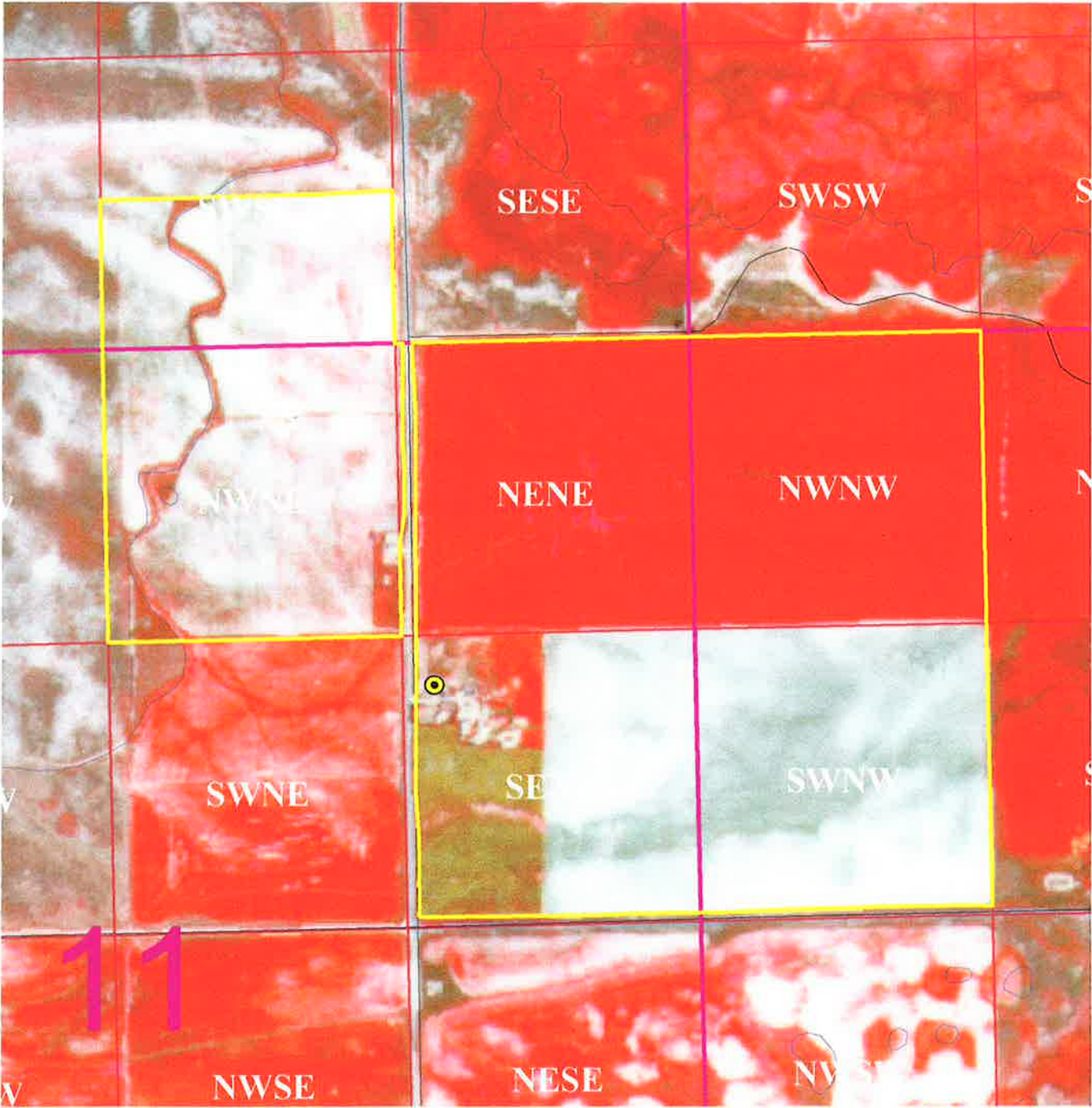
EXPLANATORY MATERIAL: License

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM TOPONCE CANAL
CO.

RIGHT NO. 29-2504 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

Township , 7S38E



 Irrigated Area

 Section Line

 Roads

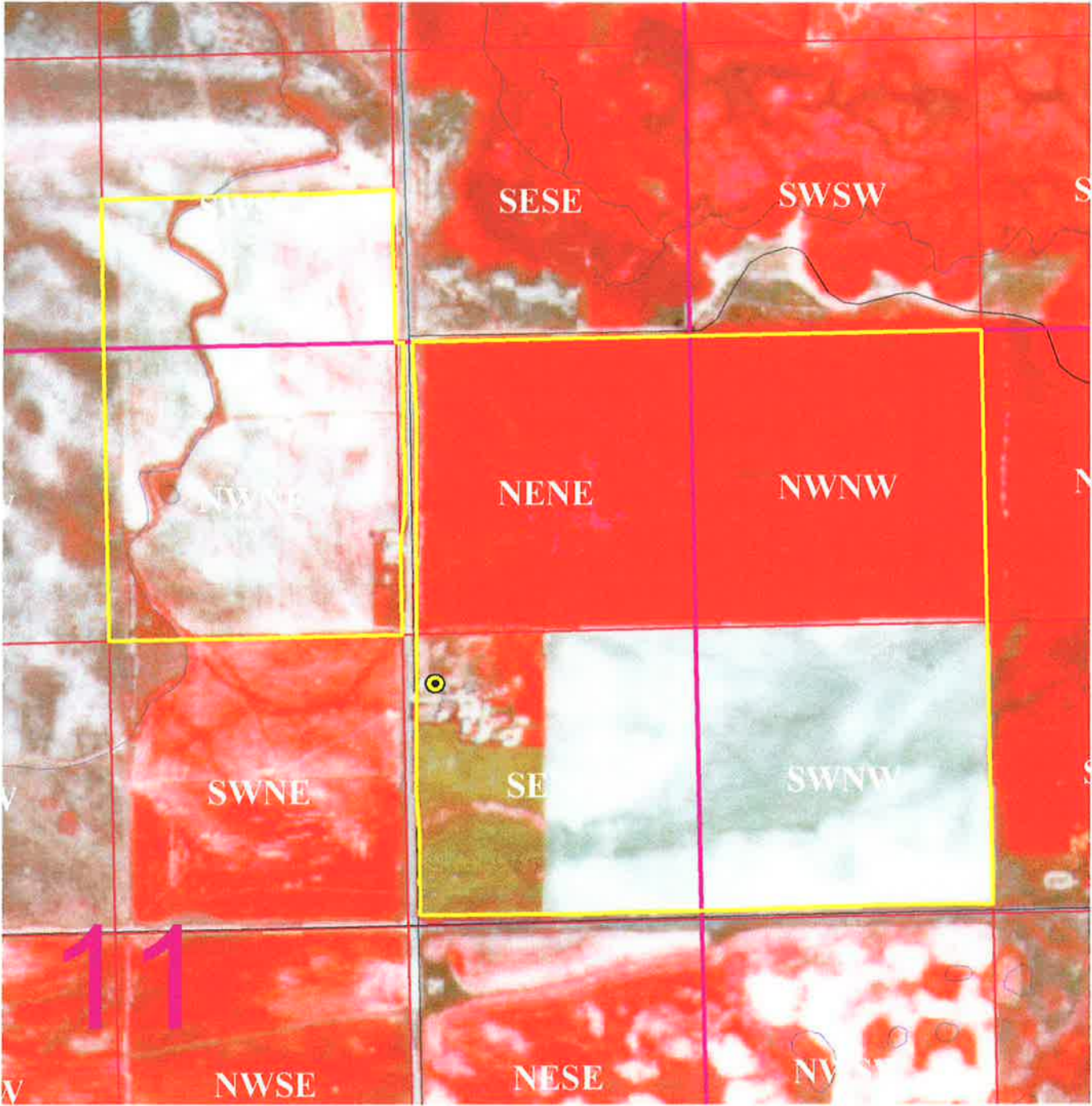
 Place of Diversion

 Quarter Section Line

 Streams and Canals



Township , 7S38E



 Irrigated Area

 Section Line

 Roads

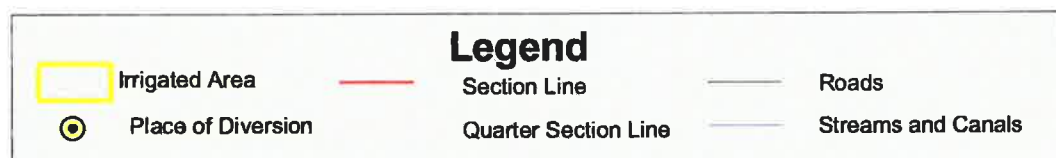
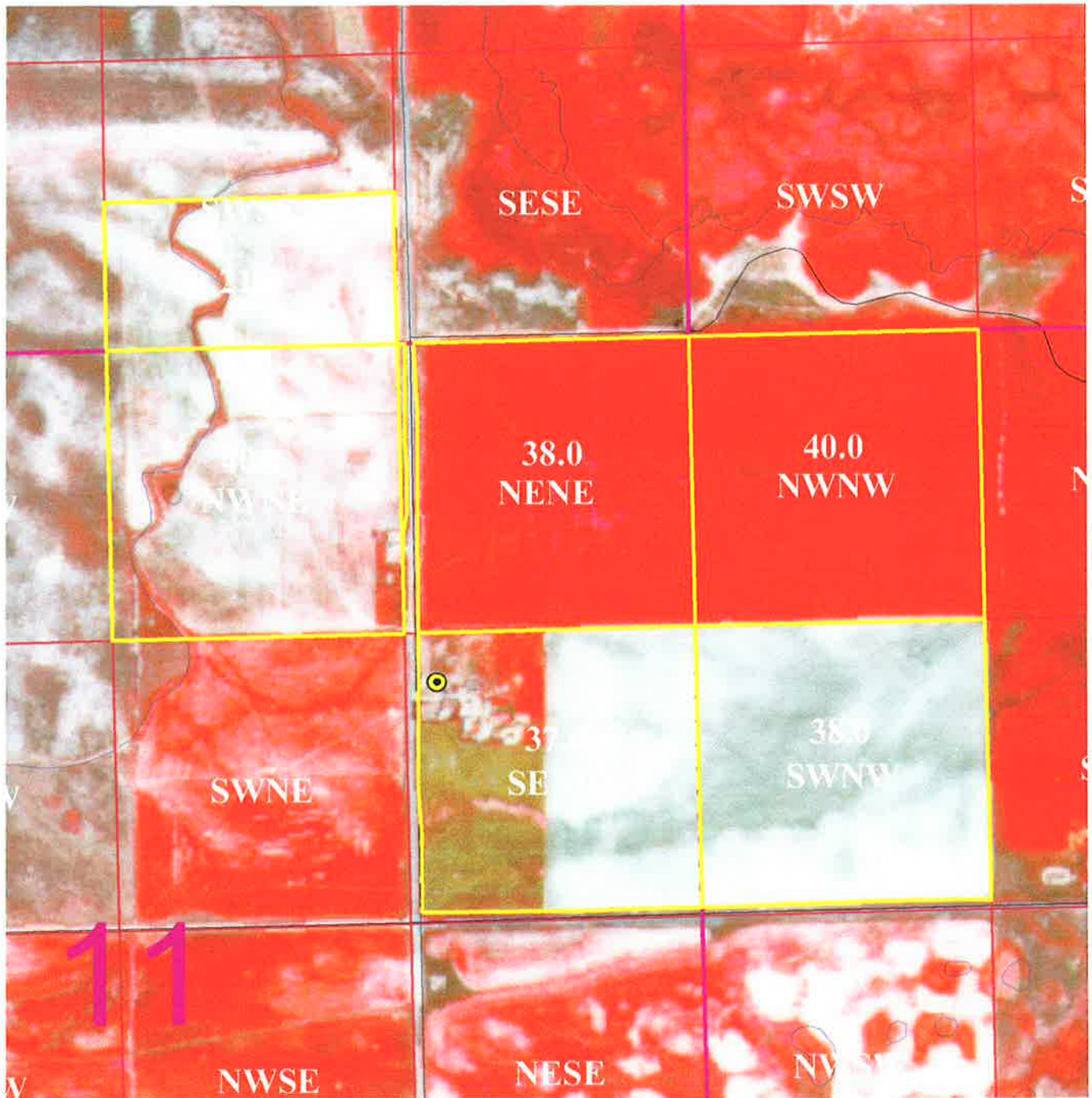
 Place of Diversion

 Quarter Section Line

 Streams and Canals



Township , 7S38E



400 0 400 800 Feet

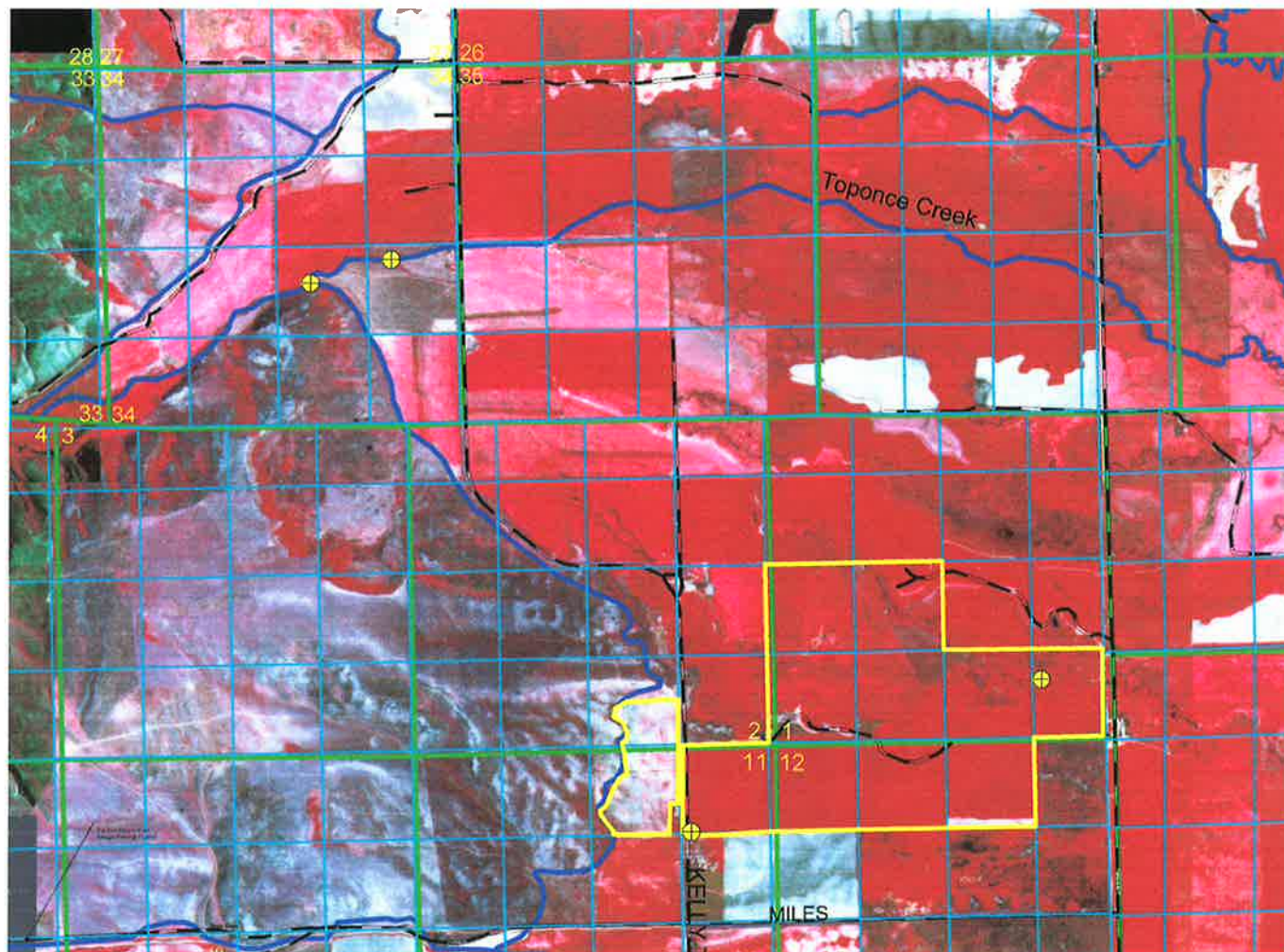




STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Rights 29-246B, 29-2418 and 29-2504



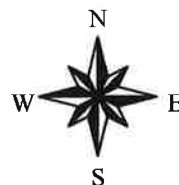
4000 0 4000 8000 Feet

LEGEND

-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T7S, R38E
(part of) Sections 1, 2, 11 and 12

Points of Diversion: T6S, R38E
Sec. 34 NESE and NWSE AND
T7S, R38E Sec. 11 SENE



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: June 2002

SCANNED

PROFILED

FEB 07 2006

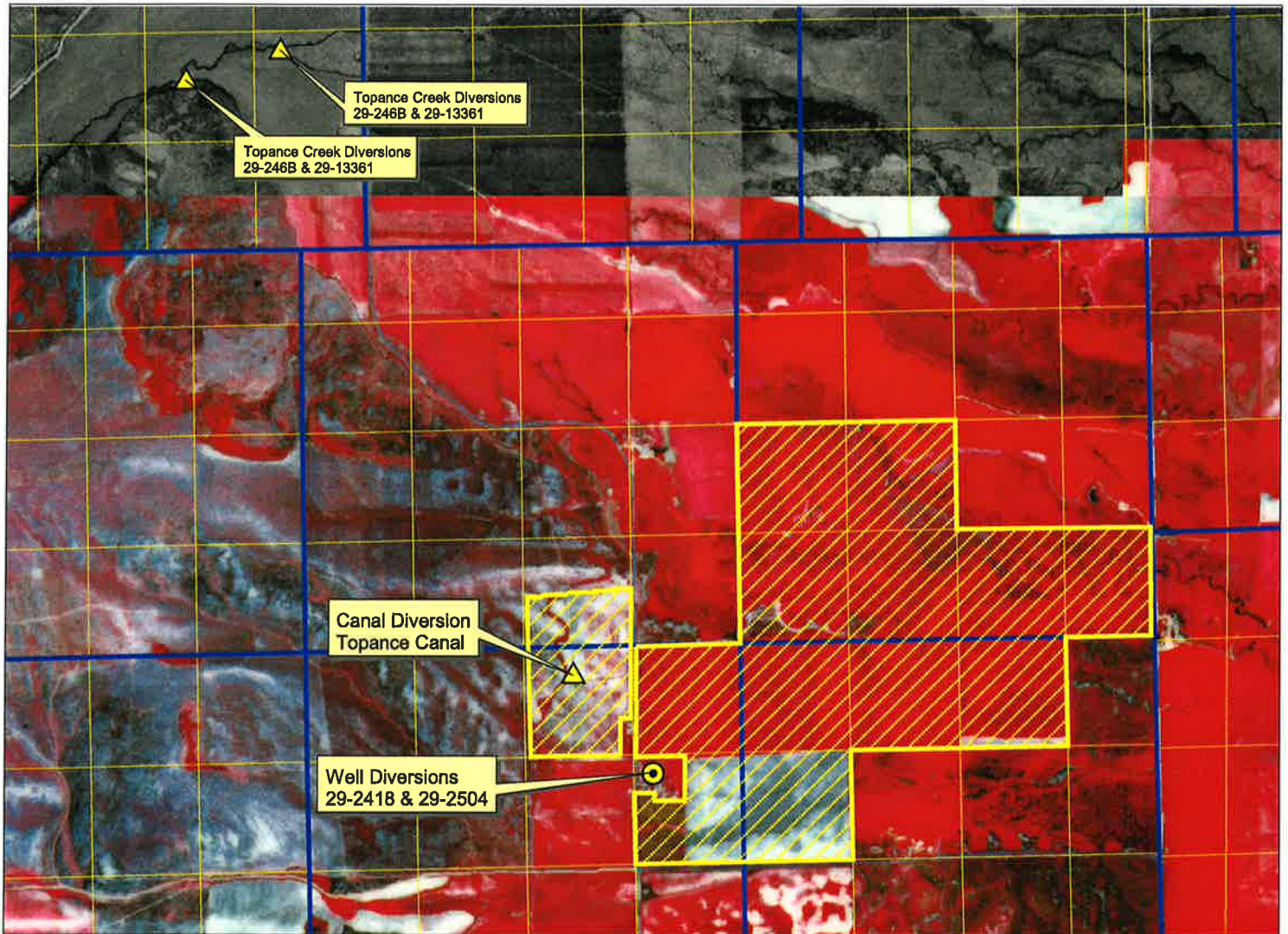


State of Idaho

Department of Water Resources

Eastern Region

**Claim No.: 29-246B, 29-2418,
29-2504, 29-13361**



0.6 0 0.6 1.2 Miles

Irrigated Acres = 516



- 29-246b diversions.shp
- 29-2418.shp
- Well.shp
- Sections
- QQ

PROFILED

SCANNED
FEB 07 2006

GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: May, 2003

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-2418

DARWIN CALDWELL
15629 N 16TH DR
PHOENIX AZ 85023
Telephone Number: (602)942-0804

ELOISE CALDWELL
2844 KELLY TOPONCE RD
BANCROFT ID 83217
Telephone Number: (208)942-0804

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Irrigated Acres

2. Describe the changes you wish to make in the proposed recommendation:

*To include the 70 ACRES SENE of section 11. S
SW NW section 12 and the piece above the irrigation
canal, all within T7S, R38E.*

3. Give a brief explanation as to why you disagree with these portions:

This has been irrigated, see 1974 map.

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 4-18-03 SIGNATURE: *Darwin S Caldwell*

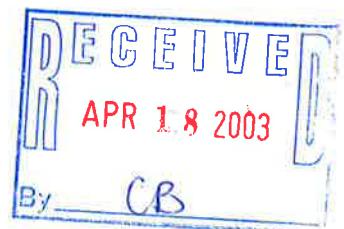
Please print your name: DARWIN S. CALDWELL

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

See file 29-246B for the 1974 map

PROFILED

SCANNED
FEB 07 2006



A29-2418, A29-2504 and A29-246B
Narrative by Cindy Bird
June 17, 2002



Photo 1. Looking east.

June 17, 2002 I conducted a field exam for Darwin and Eloise Caldwell. I visited the points of diversion and place of use under these licenses as well as the decreed water under the Union Grain and Elevator Decree. Photo 1 was taken looking east at the well. The acreage in the background is also part of the irrigated place of use.

The GPS site tag A0012009 was applied to the post next to the meter. The pump was a 100 hp Holloshaft Pump Motor, serial number 1304057. The motor was a Fairbanks Morse, serial number PN2105. These are the same serial numbers listed on the original field exam.

The place of use can be irrigated with Toponce 1868 water, Toponce Canal water or from the ground water pump. The buried mainline goes under the road to the canal banks where 2-30 hp pumps shown in photos 2 and 3. A collection box and screen is located in the canal to capture the water.



Photo 2. Looking southwest.



Photo 3. Looking west to canal.



Photo 4. Looking south at canal.

Photo 4 is a close-up of the canal and collection box. The canal appeared to have a berm across the canal. Photo 5 was taken looking back at Darwin Caldwell's pumps. There is a large culvert through the berm to allow Toponce Canal water through.



Photo 5. Looking Northeasterly at canal and pump.

Photos 6, 7 and 8 were taken at the lower 30 hp pump that rediverts the 1868 Toponce water into the mainline at the lower end of the property. The water continues to Ross Redford's place through the ditch and under Nipper Road in a culvert.



Photo 6. Looking northwesterly.



Photo 7. Looking south.



Photo 8. Close-up of the 30 hp pump for Toponce water.

I recommended that Darwin and Eloise claim water rights 29-246A and 29-245 in the adjudication because they were decreed to their property and haven't been claimed yet. I'm recommending the place of use as a permissible place of use because the system is now connected through a buried mainline. Darwin connected the system in the mid 70's when they purchased the property. I'm not recommending the land in the SENE section 11 and SWNW in section 12 because it doesn't appear to be irrigated and the 1987/88 NAPP photography doesn't indicate the land is irrigated.

SCANNED

FEB 07 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

1. ☐ No Change NAME:
☐ NEW OWNER:
☐ No Change ADDRESS:
☒ NEW ADDRESS: Dawson 15629 N. 16th Dr. Phoenix 85023
4/1 - 10/31 Glorise 2844 Kelly Toponce Rd 83217.
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____
(If the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE:
☐ Source is different than that claimed:
Source found: _____
4. ☒ No Change - POINT OF DIVERSION:
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4.

Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.
5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Incomplete description, complete items missing, IF KNOWN.
☒ Additional description in comments.
HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____
Method of irrigation Mainline is also connected to Toponce 1868 water and Toponce Canal water. 3-30hp pumps have been added.
6. ☒ No Change - WATER USES:
☐ Different uses, (list uses found).

Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME:
☐ Change found, The new total is - _____ cfs _____ af
8. Not applicable
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:

Domestic - No. of homes _____ Other: _____
Stockwater - No. of head and kind _____ (EXP Remark)

10. ☐ No Change - PLACE OF USE: (If changed, list below.)
☒ Place of use is different than the claim
 New P/U:

Twp. Rge. Sec. 1/4, 1/4 Use

Mainline is connected with S.W. and 3-30hp pumps have been added to irrigate all the land.

Remarks: (Include type and code)

- 29-2418 & 2504 Same POD (FOS, FOG)
- also uses canal water from Toponce Crk.
- accomplished change in POD. (Purchased in 1974)
- This right when combined with 29-2504 is limited to 3.75 cfs and 896 AF.

Comments pertinent to field examination:

Permissible POD - Darwin connected the mainline to the S.W. in the mid 70's when they purchased the property.

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Claim File.

PHOTOS ☐
 MAP ☐
 SYSTEM DIAGRAM ☐

☒
☐
☐

- ☐ Changes found during exam or additional information in the claim file, see claim file.

DATE EXAM CONDUCTED:

6-17-02

FIELD EXAMINER:

Cindy Bird

Signature

Cindy E Bird

PROFILED

SCANNED

FEB 07 2006

WR5809NP
No. 29-02418

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/23/01
PAGE: 4

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	F. M. WHITWORTH	09/29/1959	IRRIGATION	04/01 10/31	1.750 CFS	585.00 AFA
C	E. L. WHITWORTH					
TOTAL DIVERSION:					1.750 CFS	585.00 AFA

Water Source: GROUNDWATER / Tributary to: Stage: LICENSE /
Point(s) of Diversion: T07S R38E S11 SENE / CARIBOU County

Place of use Legal Description for: IRRIGATION /

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
07S	38E	2	:					:					:					:					:	12.0
07S	38E	11	:	39		31		:					:					:					:	106.0
07S	38E	12	:				36	:			40		:					:					:	77.0
TOTAL ACRES																							195.0	

Pou County: CARIBOU /

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-02504

Other Water Rights Listing Overlapping Place(s) of use:

29-00103 29-00104 29-00105 29-00106 29-00129 29-02227 29-02504

Dates: App. Received: Priority Date: 09/29/1959
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 08/21/1979

Misc: Water District Number: Field Exam Fee:

Audit: 03/12/85 05/22/88 CONVERT

SCANNED

MAY 4 2001

Log for claim A29-02418

Spatial Dynamics LTD

6/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s38e	2	SWSE	12	21	
07s38e	11	NENE	39	38	
07s38e	11	NWNE	31	40	
07s38e	11	SENE	36	37	
07s38e	12	NWNW	40	40	
07s38e	12	SWNW	37	38	
Totals:			195	214	

AJ5809NP
No. A29-02418

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/00
PAGE: 71

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ELOISE CALDWELL	09/29/1959	IRRIGATION	04-01 10-31	1.750 CFS	
C	DARWIN CALDWELL					
	RT 1 BOX 1460					
	BANCROFT ID 83217			TOTAL DIVERSION:	1.750 CFS	585.00 AFA
	(208) 648-7890			CONSUMPTIVE USE:		487.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07S R38E S11

NWSENE

CARIBOU County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	38E	2	:																
07S	38E	11	:	39		31			36	:							12		12.0
07S	38E	12	:							:	40		37						106.0
			:							:									77.0
			:							:							TOTAL ACRES		195.0

POU County: CARIBOU

Non-Irrigation Uses: NONE

Other Rights: 29-02504, 29-00246B AND SHARES IN TOPONCE CK. CANAL

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
29-10099 A29-02504 A29-10099

Other Water Rights Listing Overlapping Place(s) of Use:
A29-00103 A29-00104 A29-00105 A29-00106 A29-00246B A29-02504 A29-10322

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 10/23/89 VERNER 06/30/94 COX 03/29/95 POST-STD

WATER LICENSE

Water License No. G-28194 Priority September 29, 1959 Amount 1.75 c.f.s.

THIS IS TO CERTIFY, that WHITWORTH BROTHERS, F. M. & E. I.
of Soda Springs, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated September 29, 1959; that Permit G-28194 was issued pursuant
to said application; that the proposed works were completed on or about September 12, 1959,
with a storage/or carrying capacity of 3.95 c.f.s., said works consisting of
well, pump, motor, and steel underground mainline; and that on October 15, 1964,
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 585
acre feet per season, with a maximum rate of diversion of 1.75 cubic feet per second of the waters
of ground water, tributary of _____,
for the purpose of Irrigation from April 1 to October 31;
and for _____ from _____ to _____; and for
_____ from _____ to _____; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 7 S, R. 38 E, B.M., and
other additional points _____, in the County of
Caribou; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 585 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>7 S</u>	<u>38 E</u>	<u>2</u>															<u>12</u>		<u>12</u>
		<u>11</u>	<u>39</u>	<u>31</u>		<u>36</u>													<u>106</u>
		<u>12</u>						<u>40</u>	<u>37</u>										<u>77</u>

Total number of acres irrigated 195

The right to the use of the water hereby confirmed is restricted to the lands or place of use herein described,
as provided by the laws of Idaho.

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

4th day of August, 19 69.

[Signature]
State Reclamation Engineer

28194

28194
29-2-18

gms

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of the State of Idaho

Application No. G- 36146
Permit No. G- 28194
District No.

1. Name of Applicant: Whitworth Brothers, F. M. & E. L.

Postoffice address: Bancroft

County: Caribou

State: Idaho

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second 1.75 or Idaho
Miners' inches or gallons per minute 788

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Well

4. Location of point of diversion or well is in the SE 1/4 of the NE 1/4 of Section 11

Twp. 7 So. , Rge. 38 E. , B.M., County of Caribou

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.

7. Kind of works: Well and sprinklers - diesel power to start

8. Estimated cost of works: \$ 15,000.00

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock: (c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: We have a water right in Topans Canal Company, and their right is from Topans Creeks

(a) 1.75 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) (cubic feet per second, inches or gallons per minute) is for new lands.

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Applicant.

Agent.

Corrected application received: October 5, 1959

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
7 S	38 E	2	40 40 40	40 40		20	20 120 80
		11					
		12					
						Total	220

LICENSE ISSUED FOR 1.75 SEC. FT.
 LICENSE PAGE NO.

WATER RIGHT NUMBER 29-2418 ✓

OWNER LAST NAME - WHITWORTH
OWNER LAST NAME - WHITWORTH
ADDRESS LINE 1 - DBA WHITWORTH BROTHERS
ADDRESS LINE 3 -
SOURCE - GROUNDWATER

FIRST NAME - F. M.
FIRST NAME - E. L.
ADDRESS LINE 2 -
CITY - BANCROFT ✓

ORIG OWNER -
ORIG OWNER -

STATE - ID ✓ ZIP CODE - 83217 ✓

STAGE - LICENSE STATUS - PRIORITY - 09-29-1959 COUNTY - CARIBOU TOTAL DIV. RATE - 1.7500 -CFS
TOTAL DIV. VOLUME - 585.00 AFA TRFR/AMEND - WATER DIST. - DLE/CAREY ACT - RIGHT BASIS -
DIVERSION POINT - SENE 11 07S 38E LOT REDIV - 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0
FROM - 04-01 ✓ TO - 10-31 ✓ USE - IRRIGATION ✓ USE DIV. RATE - 1.7500 ✓ CFS USE DIV. VOLUME - 585.00 AFA
USE - IRRIGATION PLACE OF USE - TWN 07S RNG 38E SEC 12 TRACT NWNW LOT AC 40 TRACT SWNW LOT AC 37
USE - IRRIGATION PLACE OF USE - TWN 07S RNG 38E SEC 11 TRACT NENE LOT AC 39 TRACT NWNE LOT AC 31
TRACT SENE LOT AC 36
USE - IRRIGATION PLACE OF USE - TWN 07S RNG 38E SEC 02 TRACT SWSE LOT AC 12
DEGREE NAME - DATE - TOTAL ACRES 195

REMARKS -
NON IRRIG USE -
OTHER RIGHTS FOR SAME USE -
PROOF DUE - PERMIT/DENIED -
PROOF MADE - FLD EXAM - COND. OF APPROVAL -
DIVERSION MEANS -

PROTESTED -

HEARING -

GLD NO. - 28194

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 28194 / 29-2418
 Old No. New No.

Record

1. Original Owner: J. M. + E. L. Whitworth, dba
Whitworth Brothers
 Present Owner: _____
2. Address: _____
3. City: Ada Springs State: SD Zip: _____
4. A. Source of Water: GW
 B. Tributary of: _____
5. A. Stage (A,P,L,D,S,J): L
 B. Status (D,L,R,C,A,I,F - leave blank if valid): _____
 C. Priority Date: 9-29-1959
 D. County: 29
 E. Total Diversion Rate: 1.75
 F. Total Diversion Volume: _____
 G. Transfer/Amendment (P,T of A or blank): _____
 H. Water District: _____
 I. DLE/Carey Act (D,C or blank): _____
 J. Right Basis (for adjudication claims A,B,C only): _____

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SE NE</u>	<u>11</u>	<u>75</u>	<u>38E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for <u>A</u> purposes.	Amount <u>1.75</u> (cfs or AC-FT/yr)
from _____ to _____ for _____ purposes.	Amount _____
from _____ to _____ for _____ purposes.	Amount _____
from _____ to _____ for _____ purposes.	Amount _____
from _____ to _____ for _____ purposes.	Amount _____
from _____ to _____ for _____ purposes.	Amount _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 28194This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant: Whitworth Brothers
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the SE 1/4 of Section 11
T. 7 S R. 38 E.B.M. County of Caribou

4. Describe works as they exist, giving dimensions and capacities of same:

100 HP US HOLLOWART #1304057
F & M V.T.P. # PN 2105
8" DISCHARGE INTO STEEL UNDERGROUND
MAIN LINE - 40 lbs - WEST 1/4 EAST 1/2

5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: YES

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW 1/4 Sec. 2., NE 1/4, SE 1/4, Sec. 11., W 1/4 Sec. 12., Twp. 7 S., Rge. 38 E.B.M.
(220 acres)

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

Mr. Whitworth CONTACTED

6'12" - 1/4 mile LAT 7/32" RAINBOW 20.0 @ 35148

$$Q = (6.12) (3.3 \text{ m.s.}) + 16 \text{ m.s.} (8.26 \text{ g.p.m.}) = 3.95 \text{ c.f.s.}$$

118.8 g.p.m.
IRRIGATION REQUIREMENT = 3.0 AF - FY / ACRES / SEASON

This examination was made on the 25th day of JULY 1958

(Signed)

Examiner.

28194
29-2418

ORR
Ref'd
X.H.

Area = 19 Acres

Subd - C

A - 39 cfs.

Vol = 585 ac-ft / Skason

Priority = Sect 29, 1959

Remitt Limit 270 per 1.75 cfs.

R 38 E

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MAY 4 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-02418

Date Received: 10/23/1989

Receipt No: 6011052

Received By: Egn

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DARWIN CALDWELL
Address: RT. 1 BOX 1460
BANCROFT, ID

208-648-7890

83217

OR

Name: ELOISE CALDWELL
Address: RT. 1 BOX 1460
BANCROFT, ID

208-648-7890

83217

2. Date of Priority: SEP 29, 1959

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
07S	38E	11	NW SE NE		CARIBOU

5. Description of diverting works:

180' WELL W/ 100HP PUMP INTO MAINLINE/SPRINKLER IRRIGATION SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.750		

7. Total Quantity Appropriated is:

1.750 C.F.S. (and/or) 585.00 A.F.A.

8. Total consumptive use is 487.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A29-02418

Page

10/23/89

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NOV 13 1992

A2902418



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	38E	2	SW	SE		IRR	12.0
					Section	Acres	12.0
		11	NE	NE		IRR	39.0
			NW	NE		IRR	31.0
			SE	NE		IRR	36.0
					Section	Acres	106.0
		12	NW	NW		IRR	40.0
			SW	NW		IRR	37.0
					Section	Acres	77.0
					Total	Acres	195.0

11. Place of use in counties: CARIBOU

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
29-02504, 29-00246B AND SHARES IN TOPONCE CK. CANAL

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 28194

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16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not yo wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *David Cadbury* Date: 10-23-89

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 23 day
of October 19 89

[Signature]
Notary Public

Seal

Residing at *Salida Falls, ID*
My Commission Expires 22 Aug 1994

NOV 1 1952
MICROFILMED

R39E

R38E

IR. WELL
A29-10099

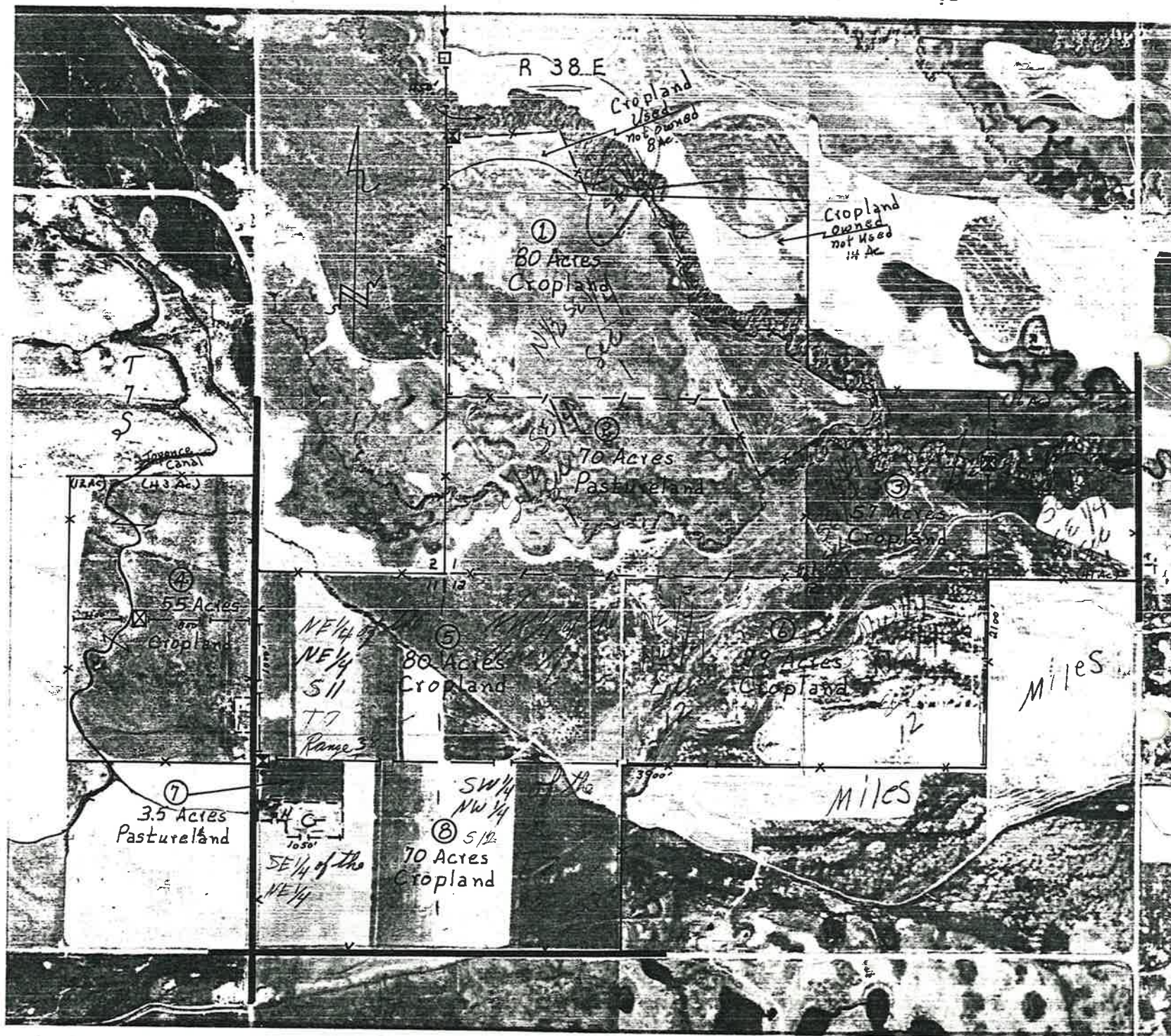
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PITCH HEADING
NW 1/4 NE 1/4 Sec 34
T6S R38E

PITCH HEADING
SW 1/4 NW 1/4 Sec 34
T6S R38E

S 6 T



MICROFILMED

NOV 13 1992